

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Joint Application of Verizon Communication Inc. ("Verizon") and MCI, Inc. ("MCI") to Transfer Control of MCI's California Utility Subsidiaries to Verizon, which Will Occur Indirectly as a Result of Verizon's Acquisition of MCI.

Application 05-04-020
(Filed April 21, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING
ACKNOWLEDGING MOTION OF GREENLINING INSTITUTE**

1. Summary

The Greenlining Institute (Greenlining) has filed what it calls a Motion to Ensure the Integrity of the Section 854 Public Interest Requirements in the Verizon/MCI case. The motion is acknowledged.

2. Background

Greenlining on July 26, 2005, filed its motion asking "that the Commission on its own motion secure full and complete philanthropy information from Verizon/MCI and to do so prior to any decision relating to evidentiary hearings or applicability of Section 854." (Greenlining Motion, at 3.)

Greenlining alleges that SBC Communications, Inc. (SBC) has misstated the amount of its philanthropic contributions in public statements in the SBC/AT&T merger proceeding (Application 05-02-027). The disparity, according to Greenlining, may affect the applicability of Pub. Util. Code § 854 related to good corporate citizenship and public interest endeavors. To "avoid

the possibility of such confusion” in this case, Greenlining asks that the Commission acquire “full and complete philanthropy information from Verizon/MCI.” (Greenlining Motion, at 2.) Greenlining adds that on July 22, 2005, it submitted detailed discovery requests to Verizon/MCI regarding philanthropic activity and, presumably, Greenlining will notify the Commission of any concerns that its discovery reveals.

There has been no response to Greenlining’s motion.

3. Discussion

Greenlining’s motion serves to alert the Commission, Commission staff, the Office of Ratepayer Advocates, and all parties to the possibility of misinterpretation of data regarding philanthropic activity by the proposed merger partners in this proceeding. By filing the motion, Greenlining has sounded that alert, and no further action on the motion is required by the Commission.

IT IS RULED that the Motion of the Greenlining Institute to Ensure the Integrity of the Section 854 Public Interest Requirements in the Verizon/MCI Case is acknowledged. No further action on the motion by the Commission is required.

Dated August 1, 2005, at San Francisco, California.

/s/ GLEN WALKER

Glen Walker

Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of Administrative Law Judge's Ruling Acknowledging Motion of Greenlining Institute by using the following service:

☒ E-Mail Service: sending the entire document as an attachment to all known parties of record that have provided electronic mail addresses.

☒ U.S. Mail Service: mailing by first-class mail with postage prepaid to all known parties of record who did not provide electronic mail addresses.

Dated August 1, 2005, at San Francisco, California.

/s/ FANNIE SID
Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.